

Notice of Allowability

Application No.

09/936,527

Examiner

Peter J Lish

Applicant(s)

REUTER, KARL

Art Unit

1754

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment After-Final 9/20/04.
2. ☒ The allowed claim(s) is/are 1-10.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

STUART L. HENDRICKSON
PRIMARY EXAMINER

After Final Amendment filed 6/30/04

OK to enter

PL 10/1/04

Attorney's Docket No. 033265-003

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AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

LISTING OF CLAIMS:

1. (Currently Amended) A process for purifying an impure substance through emulsion crystallization comprising the steps of

- (a) forming an emulsion of organic liquid droplets in a continuous water phase, which emulsion contains the impure substance;
- (b) super-saturating the emulsion in the substance;
- (c) inducing crystallization of the substance, whereby crystallization takes place in the water phase;
- (d) isolating the crystals of the substance resulting from step (c) from the emulsion, yielding an emulsion-filtrate;
- (e) dissolving additional impure substance in the emulsion-filtrate ~~whereby the level of impurities builds up in the emulsion~~; and
- (f) repeating steps (b)-(d) with the emulsion obtained from step (e), whereby the level of impurities builds up in the emulsion with the repetition of steps (b) to (d).

2. (Original) A process according to claim 1 wherein crystals are isolated from emulsion in step (d) by centrifuge.

3. (Previously Presented) A process according to claim 1 wherein the emulsion is a micro-emulsion.

4. (Previously Presented) A process according to claim 1 wherein the emulsion is a macro-emulsion.

5. (Previously Presented) A process according to claim 1, wherein dissolving of additional impure substance in step (e) is carried out by ultrasound, heating and/or stirring.

6. (Previously Presented) A process according to claim 1, wherein the crystals isolated in step (d) are washed with water optionally containing surfactant.

7. (Original) A process according to claim 6 wherein the washing water is applied to the crystals during centrifuging.

8. (Previously Presented) A process according to claim 1, wherein crystallization is induced by seeding with seed crystals of the substance.

9. (Previously Presented) A process according to claim 1, wherein dissolving of additional impure substance in step (e) is carried out by stirring.

10. (Previously Presented) A process according to claim 1, wherein dissolving of additional impure substance in step (e) is carried out by ultrasound and/or heating.